

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

DOCKETED

MAR 18 2003

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CLERK'S OFFICE COURT

Pamela Austin-Edwards
(Name of the plaintiff or plaintiffs)

V.

Loyola University
Medical Center

(Name of the defendant or defendants)

CIVIL ACTION

NO.

03C 1915
(Case number will be supplied by the assignment clerk)

JUDGE AMY ST. EVE

MAGISTRATE JUDGE KEYS

COMPLAINT OF EMPLOYMENT DISCRIMINATION

1. This is an action for employment discrimination.

2. The plaintiff is Pamela Austin-Edwards of
the county of Cook in the state of Illinois.3. The defendant is Loyola University Medical Center, who
resides at (street address) 2160 South 1st Avenue
(city) Maywood (county) Cook (state) ILL (ZIP) 60153
(Defendant's telephone number) (708) - 216-9000

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- 4) The plaintiff sought employment or was employed by the defendant at

(street address) 2160 So 1st Avenue

(city) Maywood (county) Cook (state) Ill (ZIP code) 60153

5. The plaintiff [check one box]

- (a) ☐ was denied employment by the defendant.
 (b) ☐ was hired and is still employed by the defendant.
 (c) ☒ was employed but is no longer employed by the defendant.

6. The defendant discriminated against the plaintiff on or about, or beginning on or about,

(month) December, (day) _____, (year) 2001.

7. (a) The plaintiff [check one box] ☒ *has not* filed a charge or charges against the defendant
☒ *has*
 asserting the acts of discrimination indicated in this complaint with any of the following
 government agencies:

- (i) ☒ the United States Equal Employment Opportunity Commission on or about
 (month) September (day) 05 (year) 2002.

- (ii) ☐ the Illinois Department of Human Rights on or about
 (month) _____ (day) _____ (year) _____.

- (b) If charges *were* filed with an agency indicated above, a copy of the charge is

attached. ☒ YES ☐ NO

It is the policy of both the Equal Employment Opportunity Commission and the Illinois Department of Human Rights to cross-file with the other agency all charges received. The plaintiff has no reason to believe that this policy was not followed in this case.

8. (a) ☐ the United States Equal Employment Opportunity Commission has not issued a
Notice of Right to Sue.

- (b) ☒ the United States Equal Employment Opportunity Commission has issued a *Notice*
of Right to Sue, which was received by the plaintiff on (month) Dec

(day) 19 (year) 2002 a copy of which *Notice* is attached to this complaint.

9. The defendant discriminated against the plaintiff because of the plaintiff's [check all that apply]

- (a) ☐ Age (Age Discrimination Employment Act).
- (b) ☒ Color (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (c) ☐ Disability (Americans with Disabilities Act)
- (d) ☐ National Origin (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (e) ☒ Race (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (f) ☐ Religion (Title VII of the Civil Rights Act of 1964)
- (g) ☐ Sex (Title VII of the Civil Rights Act of 1964)

10. The plaintiff is suing the defendant, a state or local government agency, for discrimination on the basis of race, color, or national origin (42 U.S.C. §1983).

☒ YES ☐ NO

11. Jurisdiction over the statutory violation alleged is conferred as follows: over Title VII claims by 28 U.S.C. §1331, 28 U.S.C. §1343(a)(3), and 42 U.S.C. §2000e-5(f)(3); over 42 U.S.C. §1981 and §1983 by 42 U.S.C. §1988; over the A.D.E.A. by 42 U.S.C. §12117.

12. The defendant [check all that apply]

- (a) ☐ failed to hire the plaintiff.
- (b) ☒ terminated the plaintiff's employment.
- (c) ☐ failed to promote the plaintiff.
- (d) ☐ failed to reasonably accommodate the plaintiff's religion.
- (e) ☐ failed to reasonably accommodate the plaintiff's disabilities.
- (f) ☒ other (specify): Manager Christine Murphy used her title as power to humiliate, discriminate abuse plaintiff openly in public for no apparent reason. And threaten discharge if didn't like the way she ran her department.

13. The facts supporting the plaintiff's claim of discrimination are as follows:

Speak to plaintiff abruptly ^{out of} ~~the~~ order for no apparent reason
 Treats plaintiff with no respect.
 Forces unwanted overtime days
 Writes up ~~the~~ plaintiff an incident that never happened
 Changes plaintiff's official ~~the~~ schedule for the
 week 3 days prior to being off to inconvenience plaintiff

14. [AGE DISCRIMINATION ONLY] Defendant knowingly, intentionally, and willfully discriminated against the plaintiff.

15. The plaintiff demands that the case be tried by a jury.

^{only if needed}
☒ YES ☐ NO

16. THEREFORE, the plaintiff asks that the court grant the following relief to the plaintiff [check all that apply]

- (a) ☐ Direct the defendant to hire the plaintiff.
- (b) ☒ Direct the defendant to re-employ the plaintiff.
- (c) ☐ Direct the defendant to promote the plaintiff.
- (d) ☐ Find that the defendant failed to reasonably accommodate the plaintiff's religion.
- (e) ☐ Find that the defendant failed to reasonably accommodate the plaintiff's disabilities.
- (f) ☒ Direct the defendant to (specify): To issue all back pay,
Any raises received during the period
of unemployed. To Compensate
plaintiff for damaging of Character it
cause with Creditors due to no income.

(g) ☒ If available, grant the plaintiff appropriate injunctive relief, lost wages, liquidated/double damages, front pay, compensatory damages, punitive damages, prejudgment interest, post-judgment interest, and costs, including reasonable attorney fees and expert witness fees.

(h) ☒ Grant such other relief as the Court may find appropriate.

(Plaintiff's signature)

(Plaintiff's name)

(Plaintiff's street address)

Ramelo Austin-Edwards

Ramelo Austin-Edwards

1414 No Maywood Dr. P.O. Box 772

P.O. Box 772

(City) Maywood (State) IL (ZIP) 60153-0772

(Plaintiff's telephone number) (708) - 615-0420

Equal Employment Opportunity Commission

DISMISSAL AND NOTICE OF RIGHTS

To: Pamela Austin-Edwards
1414 North Maywood Drive
P.O. Box 772
Maywood, IL 60153

From: Equal Employment Opportunity Commission
Chicago District Office
500 West Madison Street, Suite 2800
Chicago, IL 60661-2511

CERT. MAIL #: 7099 3400 0006 7306 2084 C/P

☐ On behalf of a person aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No.	EEOC Representative	Telephone No.
210A204831	Regina Husar, Enforcement Supervisor	(312) 353-0819

(See the additional information attached to this form.)

YOUR CHARGE IS DISMISSED FOR THE FOLLOWING REASON:

- ☐ The facts you allege fail to state a claim under any of the statutes enforced by the Commission
- ☐ Respondent employs less than the required number of employees.
- ☐ Your charge was not timely filed with the Commission, *i.e.*, you waited too long after the date(s) of the discrimination you alleged to file your charge. Because it was filed outside the time limit prescribed by law, the Commission cannot investigate your allegations.
- ☐ You failed to provide requested information, failed or refused to appear or to be available for necessary interviews/conferences, or otherwise refused to cooperate to the extent that the Commission has been unable to resolve your charge. You have had more than 30 days in which to respond to our final written request.
- ☐ The Commission has made reasonable efforts to locate you and has been unable to do so. You have had at least 30 days in which to respond to a notice sent to your last known address.
- ☐ The respondent has made a reasonable settlement offer which affords full relief for the harm you alleged. At least 30 days have expired since you received actual notice of this settlement offer.
- ☒ The Commission issues the following determination: Based upon the Commission's investigation, the Commission is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- ☐ Other (briefly state) _____

- NOTICE OF SUIT RIGHTS -

- ☒ **Title VII and/or the Americans with Disabilities Act:** This is your NOTICE OF RIGHT TO SUE, which terminates the Commission's processing of your charge. If you want to pursue your charge further, you have the right to sue the respondent(s) named in your charge in a court of competent jurisdiction. If you decide to sue, you must sue WITHIN 90 DAYS from your receipt of this Notice; otherwise your right to sue is lost.
- ☐ **Age discrimination in Employment Act:** This is your NOTICE OF DISMISSAL OR TERMINATION, which terminates processing of your charge. If you want to pursue your charge further, you have the right to sue the respondent(s) named in your charge in a court of competent jurisdiction. If you decide to sue, you must sue WITHIN 90 DAYS from your receipt of this Notice; otherwise your right to sue is lost.
- ☐ **Equal Pay Act (EPA):** EPA suits must be brought within 2 years (3 years for willful violations) of the alleged EPA underpayment.

December 19, 2002

On behalf of the Commission

John P. Rowe *RLR*
John P. Rowe, District Director

Enclosures

Information Sheet
Copy of Charge

cc: Respondent(s) Loyola University Medical Center